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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GEORGE BEITZEL, KATHERINE KRAIG,  
and SHARON GOLDSTEIN, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

XAVIER BECERRA, Secretary of Health and  
Human Services,

Defendant.

Case No. 2:23-cv-01932-WBS-DB

**STIPULATION AND ORDER FOR (1)  
STAYING BRIEFING ON PLAINTIFFS'  
MOTION TO CERTIFY CLASS (ECF 27);  
AND (2) SETTING BRIEFING SCHEDULE  
ON DEFENDANT'S MOTION TO DISMISS  
(ECF 29)**

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED, by and among the parties and subject to Court approval, that:

(1) briefing on Plaintiffs' Motion to Certify Class (ECF 27) shall be stayed until after resolution of Defendant's Motion to Dismiss (ECF 29); and

(2) Plaintiffs' Opposition to Defendant's Motion to Dismiss shall be filed on or before February 16, 2024, and Defendant's Reply shall be filed on or before March 1, 2024.

In support of their stipulation and proposed order, the parties respectfully submit that, to further the orderly and efficient administration of this case, *see* Fed. R. Civ. P. 1, Defendant's Motion to Dismiss should be resolved before briefing and a decision on Plaintiffs' Motion to Certify Class. The parties also met and conferred to determine a workable briefing schedule on the Motion to Dismiss, given deadlines and events in other matters.

Dated: February 2, 2024

Respectfully submitted,

CENTER FOR MEDICARE ADVOCACY

By: /s/ Alice Bers (authorized 2/2/2024)  
ALICE BERS

Attorneys for Plaintiffs

PHILLIP A. TALBERT  
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By: /s/ Joseph B. Frueh  
JOSEPH B. FRUEH  
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XAVIER BECERRA  
Secretary of Health and Human Services

**IT IS SO ORDERED.**

Dated: February 2, 2024



**WILLIAM B. SHUBB**  
**UNITED STATES DISTRICT JUDGE**